

PETITION UNDER 37 CFR 1.78(a)(3) or (6) FOR THE ACCEPTANCE OF AN UNINTENTIONALLY DELAYED
CLAIM UNDER 35 U.S.C. 119(e), 120, 121, OR 365(c).

Attorney's Docket No. 006701.P002XC4

First named inventor: Julian N. Nikolchev

Application No.: 10/600,298

Group Art Unit: 3772

Filed: 06/20/2003

Examiner: Michael Brown

Title: Contraceptive Transcervical Fallopian Tube Occlusion Devices and Methods

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

The above-identified

☐ National ☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

application failed to contain a reference to a prior filed co-pending application no. 08/474,779 for a claim under 35 U.S.C. 120, 121, or 356(c) for the benefit of the prior filed application by either inclusion in an application data sheet or amendment of the specification to contain such reference in the first sentence following the title, within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application.

OR

The above-identified

☐ Nonprovisional

application failed to contain a reference to a prior filed co-pending provisional application no. _____ for a claim under 35 U.S.C. 119(e) for the benefit of the prior filed provisional application by either inclusion in an application data sheet or amendment of the specification to contain such reference in the first sentence following the title, within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior provisional application.

APPLICANT HEREBY PETITIONS TO AMEND THE FIRST SENTENCE, FOLLOWING THE TITLE, OF THE SPECIFICATION OF THIS APPLICATION TO:

This application is a continuation-in-part of U.S. Patent Application No. 09/093,835, filed June 8, 1998, which claims the benefit of priority from U.S. Provisional Application No. 60/059,861, filed September 24, 1997, and is also a continuation-in-part of U.S. Patent Application No. 08/475,252 filed June 7, 1995, and a continuation-in-part of U.S. Patent Application No. 08/474,779 filed June 7, 1995. The full disclosures of Application Nos. 09/093,835, 60/059,861 and 08/475,252 are incorporated herein by reference.

NOTE: A grantable petition requires the following items:

- (1) The surcharge fee set forth in § 1.17(t); and
- (2) A statement that the entire delay was unintentional.

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(1) Fee


☒ Fee \$ 1,410.00 (37 CFR 1.17(t))

(2) Statement

The entire delay between the date the claim was due under §1.78(a)(2) or §1.78(a)(5) and the date this claim is being filed was unintentional.

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: Oct. 15, 2007


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CERTIFICATE OF ELECTRONIC FILING

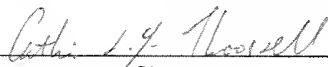
I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office via electronic filing through the United States Patent and Trademark Electronic Filing System on:

October 15, 2007

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Name of Person Filing Correspondence


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October 15, 2007
Date